

OPENING:

GM. Appreciate invitation to be here. It's a **very active time at EPA**. Both from standpoint of policy & leadership.

We've had some major changes in leadership over the last year, but our direction remains the same.

I appreciate \_\_\_\_'s introduction. As he noted, I am relatively new at EPA – have been at the agency for almost 3 years now. Began as W Director, moved to Deputy under Trey Glenn, and then have assumed the RA role in the last year. Before EPA, most of my career was with the state – most recently as the Deputy at Georgia's EPD. Coming from the state, one of my favorite things about being at EPA – and particularly about being at EPA now – is the ability to work more effectively in partnership with states.

- Coop Federalism holds promise for all of us – states, feds, & regulated

Personally, I grew up in Gulf Shores & Mobile, AL – but have spent my career in GA. Very happy to have the chance to work on the Gulf Coast – and to interact with the 8 states in R4.

Beyond just at the RA level, we've had a lot of change throughout the region – both structurally and in terms of leadership. (Org Chart)

- As you may know, we reorganized this spring – part of national reorg to align regions with NPM's
  - For r4, significant – new Enf Division, plus big changes to Air and Land
  - Completed reorg in April – programs/functions moved, but nothing lost

From a leadership perspective, we've had a number of changes, given retirements:

- Blake Ashbee – remains COS
- Bev. Banister – formerly Air Director now DRA
- Vacancy in GOM – working to fill that very soon. Know critical position for coastal restoration.
- Air – NO LONGER HAS Pesticides – Carol Kemker has been Acting – Ken Mitchell soon to take that on
- Land – NOW includes Pesticides & Sustainability - Carol Monell
- Water – Jeaneanne Gettle
- SFD – Franklin Hill – largely unchanged in responsibilities
- NEW DIV – ECAD – Suzanne Rubini, of ORC, Acting – Will shortly be filling permanently
- Lab Division – John Blevins, who came to us last year from DOE and R6
- Regional Counsel – Leif Palmer
- Mission Support - Recent Vacancy – now headed on acting basis by Vickie Tellis, former Deputy.

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And nationally, Adm. Wheeler confirmed this year. But as we see these leadership changes, both in DC and here in the region, the direction of the agency has not changed.

Very early in this administration, we were given a very clear focus on structuring our work so that we can continue to both protect and improve human health & the environment and at the same time support economic growth in the country.

**At the outset of this administration, a very clear direction was laid out for us focused on three goals:**

**Three tenets:**

- Focus on delivering a cleaner environment – core mission focus
- Do this by working in partnership with states, tribes, & regulated
- Provide greater certainty, compliance & effectiveness by apply rule of law & focus on effective agency operation

Andrew **Wheeler** has added his own way of talking about this direction – his direction for us: The word we most commonly hear from him is **Certainty**.

1. Certainty to states and local governments
2. Certainty in EPA programs – key for the regulated community
3. Certainty to the public as we talk about risk

We're really focused on making these principles a reality.

**These are our guiding principles, and we, as an agency, have been actively working to put them into practice in everything we do.**

- So, I'm so happy to be here to talk with you all...

**Priorities:**

**On the Air Side,**

We're collaborating with states to improve air quality & support state planning.

- Addressing SIP backlog
- **Since Mar 2017, EPA has turned an average of one federal implementation plan into a SIP each month.**

**ACE:**

A key priority of this administration = addressing the issues associated in the CPP – and putting in place a rule aligned with statutory auth & appropriate balance of state & federal roles.

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## The ACE Rule is was finalized in June.

- Establishes emission guidelines for states to develop plans to address GHG emissions from existing coal-fired power plants.
- Operates within the fence line (State will interact with EGUs)
  - Updates NSR permitting (EGU only)
    - Not just GHG – all pollutants
    - Previously determined applicability on annual emissions only - now also rely on hourly statistical average (EGU only)
    - Raising the bar on what it takes to trigger NSR – if you do trigger, you are getting more flexibility
- Plan continues to drive reductions in GHG but does so in a keeping with our statutory authority and with proper respect for states' authorities.
- States are to establish standards of performance for each facility and submit state plans for approval by July 2022.
- When ACE is fully implemented, we expect to see U.S. power sector CO2 emissions fall by as much as **35% below 2005 levels**.

**On the land side**, this Administration has placed very high priority on cleaning up contaminated sites and returning them to productive use.

- Strong focus on Superfund – the program we at EPA administer to clean up some of the nation's largest hazardous sites.
  - In the past, it wasn't unusual for a site to sit on the Superfund National Priorities List for decades.
- Initiated the SF Task Force to identify ways to move cleanups forward as efficiently and protectively as possible.
- **Admin's Emphasis List** – focuses attn on our most challenging sites nationally.
  - R4: 2 sites on original list – 1 here in KY – Both off now.
  - Just added a new site to the list – will maintain focus to drive results
- We're seeing results from this focus:
  - Last Year (FY2018), EPA deleted all or part of 22 sites from the National Priorities List, the largest number of deletions in one year since 2005,
  - This year, deleted all or part of 27.
- High priority placed on having haz sites cleaned up – not limited to SF.
  - Setting targets & tracking progress of sites towards being ready for anticipated use in all of our land programs

**When it comes to Water, there is a lot going on. Strong focus on clean & safe water**

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## WATER INFRASTRUCTURE

The particular emphasis on water infrastructure is particularly welcome & needed.

- Aging infrastructure,
- We have real demographic changes occurring throughout the SE and US.
  - Uneven population growth leads to challenges on both ends of spectrum
    - Strong growth in coastal & urban areas creates infr needs – gen. infr & esp stormwater.
    - Other end of the spectrum – rural areas with declining populations - real challenges with rate bases & ability to fund needed investments.
- We estimate that \$700 BN in funding is needed to modernize water infr in the US over the next 20 years.
  - There is currently \$80 BN circulating throughout the country in SRF's
- Over the last couple of years, we have added to the funding mix the WIFIA program
  - EPA administered federal credit program aimed at accelerating investment in W Infr. By supplementing the funding available through the SRF's.
- Since 2017, we've issued loans totaling over \$3.5 billion. These loans will finance over \$7 billion in water infrastructure projects.
- Currently work underway on an additional 3.5 billion

Also, note: Safe DW & particularly Lead in DW = a priority.

- Revised LCR out very soon.
- Operationally, we will be engaging in DW in a way have not historically – since delegation.
  - OECA has made DW a Ntl Compliance Initiative
  - We need to think & work together to address challenging issues.

### Small Systems Grants:

- EPA is announcing the availability of \$15 million for technical assistance and training providers that work to improve the water quality of small and private water systems.
  - Funding will be used by nonprofit organizations – aim = to achieve and maintain compliance with the Safe Drinking Water Act and the Clean Water Act, improve operational performance and help inform private drinking water well owners about protecting their drinking water supply and improving water quality.
  - Eligible applicants for this competitive agreement are nonprofit organizations and intertribal consortia that are incorporated as nonprofits.

- The application period for these competitive grants is now open and applications must be received by [ [HYPERLINK "x-apple-data-detectors://3" \]](#).
- EPA expects to award these cooperative agreements by Spring of 2020 and we encourage all eligible organizations who have an interest in these projects to apply.

Beyond that, **Nutrients & WQ Trading** For many years, we have talked about the need to address nutrients in our waters. However, to date, we have not made great progress.

- We see real impacts of nutrient pollution in different parts of the country
  - Significant impacts to the Toledo DW system – source water impacts led to real emergency
  - Each year at this time we discuss the hypoxic zone in GOM which we routinely characterize in size in relation to the size of various NE states.
    - Currently see beaches in MS closed
  - HABs on the Ohio River –
  - Impacts to the FLA env & economy...
- Earlier this year, our OW put out a policy aimed at spurring investment in land practices that reduce nutrient pollution – by encouraging water quality trading
- Our aim is rather than a top down regulatory approach, work with our states as they may develop market mechanisms – Work to make WQ Trading a reality rather than a concept.

#### **404/401 getting a lot of attention:**

**WOTUS** = key priority for this administration – Great deal of work underway to finalize the rules we've proposed.

Step 1 rule – rescinding 2015 CWR & reinstating 1986 regs. – finalized in Sept.

Comment period on Step 2 rule – the true revision – has closed. Aim to have a final rule by the end of the CY.

WOTUS = a foundational issue when it comes to our water regulatory programs. Where does CWA apply?  
What is boundary of state & federal authority?

And it's an area of very real uncertainty for states and landowners. Just announced finalization of step 1 rule – so now one standard nationwide.

Work underway now to finalize Proposed Step 2 rule – the revised definition:

- aims to provide clarity and certainty for states & particularly for landowners as to when federal law & fed permitting requirements apply.

- This administration's proposal was developed with the aim of both protecting our federal waters and respecting the appropriate boundary between state and federal authority.
  - 6 clearly defined categories of waters as WOTUS
  - Retains the prior exclusions for GW, Prior Converted Cropland, Stormwater and wastewater treatment systems...
  - Notably, if not defined as WOTUS, not WOTUS.

404 Assumption – FLA,  
Several Rulemakings on assumption process & veto process...

### **Finally – an area that is truly multi-media: Significant focus on PFAS.**

PFAS is a large group of man-made chemicals that have been in use since the 1940s.

- Found in a wide array of consumer products like non-stick cookware, stain and water repellants used in fabrics, carpets .... Firefighting foams.
- There are currently 6,330 PFAS in EPA's compotox database.
- Characteristics which make them valuable commercially make them challenging from an env standpt - persistent in the environment and some = known to be bioaccumulative. There is evidence that exposure to certain PFAS may lead to adverse health effects.

### **PFAS Action Plan** released in February - **outlined a number of new actions to come:**

- Intend to establish a **(MCL)** for PFOA and PFOS (Propose Reg determination by eoy)
- Facilitate cleanup efforts by
  - 1. initiating the process to list PFOA & PFOS as hazardous substances under CERCLA
    - 1 of key messages we've received is that at present, cost is shifted to DW utility, rather than source
    - This will allow us to direct cleanups by RP's and recoup any costs incurred when we respond in emergencies.
  - 2. by providing groundwater cleanup recommendations -- to inform site specific decisions - just issued & out for comment – 45 days – propose same number as HA for PFOA & PFOS – Combined 70 ppt
- The EPA will propose **nationwide drinking water monitoring** for PFAS under the next UCMR monitoring cycle.
  - With the next round, we'll use new lab methods with lower detection limits
- Considering the addition of PFAS chemicals to the Toxics Release Inventory and issuing a new rule under TSCA to cover additional PFAS as they enter commerce
- Significant investment in **research to dev tools & answer critical questions:**
  - Better understand toxicity & exposures

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- Dev. Test methods for variety of env media
- Understand treatment techniques
- The EPA will work collaboratively to develop a risk communication tools that includes messaging for federal, state, tribal, and local partners to use with the public.

Finally – and this isn't flashy but it's important – A strong focus on how we operate:

*Issuing permits in timely manner. Moving through our backlogs of approval items like SIPs. Setting targets for our programs & measuring them monthly.*

#### Seeing results

Permitting example - have reduced our backlog of permits in the region to 1 – which is nationally precedential.

#### Conclusion

- To wrap up, it is a very interesting time in our policy area.
- Throughout the last 2 + years, we have been actively working to streamline & modernize our regulations and business processes so they are responsive to today's needs
- EPA is at the table. And we look forward, now and in the future, to working on these issues with all of you.

Thank you for your time and attention